

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LUCY RODRIGUEZ, individually, and on
behalf of all others similarly situated,

No. C 12-06482 WHA

Plaintiff,

v.

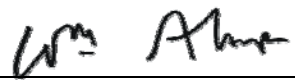
**ORDER REQUIRING FURTHER
BRIEFING**

INSTAGRAM, LLC,

Defendant.

In this putative class action, defendant Instagram, LLC, filed a motion to dismiss. Defendant's motion contends that plaintiff has not adequately pled CAFA jurisdiction (Mot. at 15 n.7). Plaintiff has not alleged any basis for federal subject-matter jurisdiction other than CAFA. In her opposition, plaintiff does not address the requirement of diversity of the parties. Both parties must submit supplemental briefs, which should focus on whether plaintiff's complaint has adequately alleged jurisdiction under CAFA, which requires minimum diversity (at least one member of the plaintiff class and one defendant must be diverse) and provides that a district court shall decline to exercise jurisdiction where "two-thirds or more of the members of all proposed plaintiff classes in the aggregate, and the primary defendants, are citizens of the State in which the action was originally filed." 28 U.S.C. 1332(d)(2), 1332(d)(4). The briefs must be filed by **8 A.M. ON WEDNESDAY, MAY 15.**

Dated: May 14, 2013.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE